Mayor, 46 Others Face Murder Charges in Killing of Protesters With Philippines-Election

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MANILA, Philippines (AP) _ A fact-finding committee recommended Saturday that a mayor and 45 soldiers be charged with murder in connection with the deaths of 20 demonstrators killed during a human rights protest.

The committee also said Lt. Gen. Fidel V. Ramos, then acting armed forces chief, should be charged with negligence. Ramos responded that ″my conscious is clear,″ and said he regretted the committee had not asked him to testify. ″If charges are eventually filed against me before any court as a result of the findings, I am willing to resign all posts in the armed forces of the Philippines ... so as not to put burden to this institution, whose interest I have always placed above my own,″ Ramos said.

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The demonstrators were killed Sept. 20 in Escalante on Negros Island when soldiers opened fire on more than 5,000 people, mostly farmers, protesting human rights violations under the rule of President Ferdinand E. Marcos.

It is believed to be the worst protest violence under Marcos' 20-year rule. The soldiers said they fired only after they were attacked by the demonstrators.

The dead were shot either in the back or the side, indicating they were fired at while fleeing, the Escalante fact-finding Committee, a joint military and civilian body, said in its report.

The committee recommended the filing of ″multiple murder″ and ″multiple attempted murder″ charges against Escalante Mayor Braulio Lumayno, town police chief Capt. Rafael Jugan, constabulary Capt. Modesto Sanson Jr., who commanded the troops in the incident, and 43 of their men.

Defense Minister Juan Ponce Enrile, who received the committee report and released it to the media, endorsed its findings to Marcos and asked that the 46 be tried jointly by a civil court, the Defense Ministry announced.

The announcement said Enrile proposed that the case be tried before the Sandiganbayan, an anti-graft court which recently acquitted Armed Forces

Chief Gen. Fabian C. Ver, 24 other soldiers and a civilian of murder in the 1983 assassination of opposition leader Benigno Aquino.

The committee, which held a month of hearings, was headed by chief military lawyer Brig. Gen. Hamilton Dimaya and opposition lawyer Raul Gonzales. Its members included two other generals, four colonels, private attorneys and local civic leaders.

The committee found that the security forces, many armed with rifles, fired on ″defenseless victims″ after failing to disperse them with water hoses and tear gas bombs.

″Intent to kill is unequivocally shown by the nature of the wounds inflicted and the use of firearms to inflict the same,″ the report said.

The committee said it was skeptical of the soldiers' claim that they fired only after they were attacked by the demonstrators with rocks, bamboo spears, knives and guns.

The committee held Mayor Lumayno accountable because the police involved in the incident were his men. It also cited testimony by a witness that Lumayno helped direct operations against the demonstrators.

Two committee members, both local civic leaders, asked for ″complete exoneration″ of the 46. One member said only those who fired guns should be charged.